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THE
CASE
OF

Collonel *John Rice* against Mrs. *Anne Trant*.

THE Commissioners appointed to enquire how Collonel *Rice* had disposed of Debentures, granted him by Parliament Reported.

That he had Mortgaged part thereof to Lord *Fitz Williams*, and Sir *Stephen Evance*.

That the Commissioners by Redemption thereof, had in their Hands Seventeen Hundred Pounds in Debentures, and Thirty Pounds Three Shillings in Money.

That before such Redemption, Collonel *Rice* had (in October 1706) Assign'd the same Equity to Major *Walter Delamer*, to secure him what Coll. *Rice* shou'd appear in his Debt upon Accounts not then adjusted; and to attend the Event of Suits then depending in *Ireland* between the said *Delamer* and Mrs *Trant*, since this Report, *Delamer* died before the Accounts were adjusted.

But before his Death he had Assign'd Coll. *Rice*'s Deed, to Mrs. *Trant*, as a Collateral security for Moneys due to her from *Delamer*: But with a Proviso that she should give Col. *Rice*, all Allowances for all Moneys paid by him to her, and for her use or for her Account.

For which she hath since Exhibited a Bill against Coll. *Rice*, and the said Commissioners and the Attorney General in the Court of *Exchequer* at *Westminster*, now still depending.

And also Arrested Coll. *Rice* in Three great Actions at her own Suit, and as many in *Delamer*'s Executors name, on which Coll. *Rice* is now Prisoner; and also Exhibited her Petition to the House of Commons, for the Debentures and Money.

Which Coll. *Rice* did not oppose (before the Committee) upon assurances given him that the Debentures and Money should be Deposited in a third Hand, to remain subject to the Account.

But the Votes directing a Clause for delivering the same to her Absolutely, whereby she would have them Discharged of the Account.

Coll. *Rice* Petitions the House for some such Additional Clause as followeth,

Provided, Nevertheless that the said *Anne Trant*, (before the Receipt of the said Debentures and Money) do with sufficient Sureties enter into Recognizance to Her Majesty, in her Majesty's Court of *Exchequer* at *Westminster*; to repay into the Receipt of Her Majesty's *Exchequer* there, so much of the said Debentures and Money, or the Value thereof as shall be over and above what shall appear to be due from the said Coll. *John Rice*, to the said *Anne Trant*, according to the several Deeds of Assignments and under which, she claimeth the said Debentures and Money, such Quantum to be adjusted by the Decree of the said Court of *Exchequer* to be made in the said Suits now there depending between the said *Anne Trant*, the Queen's Attorney General, the said Commissioners, and the said Coll. *John Rice*.

THE

CASE

Of Colonel John Rice,
against Mrs. Trant.



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Provided, Nevertheless, that the said John Rice, (before the Report of the
said Committee and House) who with said Committee, in the Report made to
the House in the month of June last, charged that the said Mrs. Trant, to
the House of Commons, had received from the said John Rice, a sum of
money, or the Value thereof, in full for and on account of the said John
Rice, the said John Rice, to the said House of Commons, in the Report
made by the said Committee, had stated, that the said Mrs. Trant, had
received from the said John Rice, a sum of money, or the Value thereof,
in full for and on account of the said John Rice, the said John Rice,
in the Report made by the said Committee, had stated, that the said Mrs.
Trant, had received from the said John Rice, a sum of money, or the Value
thereof, in full for and on account of the said John Rice.

Colonel John Rice against Mrs. Trant.

CASES

THE